

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA**

Fill in this information to identify your case:		
Debtor 1	<u>Antoinette M. Harris</u>	
	First Name	Middle Name
	Last Name	
Debtor 2 (Spouse, if filing)	First Name	Middle Name
	Last Name	
Case Number (If known)	<u>18-11784-SDB</u>	

Check if this is an amended plan.

CHAPTER 13 PLAN AND MOTION

[Pursuant to Fed. R. Bankr. P. 3015.1, the Southern District of Georgia General Order 2017-3 adopts this form in lieu of the Official Form 113].

1. **Notices.** Debtor(s) must check one box on each line to state whether or not the plan includes each of the following items. If an item is checked as not being contained in the plan or if neither or both boxes are checked, the provision will be ineffective if set out in the plan.
 - (a) This plan: contains nonstandard provisions. See paragraph 15 below.
 does not contain nonstandard provisions.
 - (b) This plan: values the claim(s) that secures collateral. See paragraph 4(f) below.
 does not value claim(s) that secures collateral.
 - (c) This plan: seeks to avoid a lien or security interest. See paragraph 8 below.
 does not seek to avoid a lien or security interest.

2. Plan Payments.

- (a) The Debtor(s) shall pay to the Chapter 13 Trustee (the "Trustee") the sum of \$ 500.00 per month for the applicable commitment period of:

(If applicable include the following: These plan payments will change to \$ _____ monthly on _____, 20_____.)

60 months; or
 a minimum of 36 months. See 11 U.S.C. § 1325(b)(4).
- (b) The payments under paragraph 2(a) shall be paid:

Pursuant to a Notice to Commence Wage Withholding, the Debtor(s) request(s) that the Trustee serve such Notice(s) upon the Debtor(s)' employer(s) as soon as practicable after the filing of this plan. Such Notice(s) shall direct the Debtor(s)' employer(s) to withhold and remit to the Trustee a dollar amount that corresponds to the following percentages of the monthly plan payment:

Debtor 1 100 % Debtor 2 _____ %

Direct to the Trustee for the following reason(s):

 - The Debtor(s) receive(s) income solely from self-employment, Social Security, government assistance, or retirement.
 - The Debtor(s) assert(s) that wage withholding is not feasible for the following reason(s): _____

(c) Additional Payments of \$ _____ (estimated amount) will be made on _____ (anticipated date)

from _____ (source, including income tax refunds).

3. Long-Term Debt Payments.

(a) **Maintenance of Current Installment Payments.** The Debtor(s) will make monthly payments in the manner specified as follows on the following long-term debts pursuant to 11 U.S.C. § 1322(b)(5). These postpetition payments will be disbursed by either the Trustee or directly by the Debtor(s), as specified below. Postpetition payments are to be applied to postpetition amounts owed for principal, interest, authorized postpetition late charges and escrow, if applicable. Conduit payments that are to be made by the Trustee which become due after the filing of the petition but before the month of the first payment designated here will be added to the prepetition arrearage claim.

<u>CREDITOR</u>	<u>COLLATERAL</u>	<u>PRINCIPAL RESIDENCE (Y/N)</u>	<u>PAYMENTS TO BE MADE BY (TRUSTEE OR DEBTOR(S))</u>	<u>MONTH OF FIRST POSTPETITION PAYMENT TO CREDITOR</u>	<u>INITIAL MONTHLY PAYMENT</u>
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(b) **Cure of Arrearage on Long-Term Debt.** Pursuant to 11 U.S.C. § 1322(b)(5), prepetition arrearage claims will be paid in full through disbursements by the Trustee, with interest (if any) at the rate stated below. Prepetition arrearage payments are to be applied to prepetition amounts owed as evidenced by the allowed claim.

<u>CREDITOR</u>	<u>DESCRIPTION OF COLLATERAL</u>	<u>PRINCIPAL RESIDENCE (Y/N)</u>	<u>ESTIMATED AMOUNT OF ARREARAGE</u>	<u>INTEREST RATE ON ARREARAGE (if applicable)</u>
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4. Treatment of Claims. From the payments received, the Trustee shall make disbursements as follows unless designated otherwise:

(a) **Trustee's Fees.** The Trustee percentage fee as set by the United States Trustee.

(b) **Attorney's Fees.** Attorney's fees allowed pursuant to 11 U.S.C. § 507(a)(2) of \$ 3,750.00.

(c) **Priority Claims.** Other 11 U.S.C. § 507 claims, unless provided for otherwise in the plan will be paid in full over the life of the plan as funds become available in the order specified by law.

(d) **Fully Secured Allowed Claims.** All allowed claims that are fully secured shall be paid through the plan as set forth below.

<u>CREDITOR</u>	<u>DESCRIPTION OF COLLATERAL</u>	<u>ESTIMATED CLAIM</u>	<u>INTEREST RATE</u>	<u>MONTHLY PAYMENT</u>
Estates of Leverett Coleman and Roma Adams Coleman	Real Estate	\$12,275.00	5%	Min. of \$232.00
McDuffie County Tax Commissioner	Real Estate	\$919.00	5%	Min. of \$18.00

(e) **Secured Claims Excluded from 11 U.S.C. § 506** (those claims subject to the hanging paragraph of 11 U.S.C. § 1325(a)). The claims listed below were either: (1) incurred within 910 days before the petition date and secured by a purchase money security interest in a motor vehicle acquired for the personal use of the Debtor(s), or (2) incurred within 1 year of the petition date and secured by a purchase money security interest in any other thing of value. These claims will be paid in full under the plan with interest at the rate stated below:

<u>CREDITOR</u>	<u>DESCRIPTION OF COLLATERAL</u>	<u>ESTIMATED CLAIM</u>	<u>INTEREST RATE</u>	<u>MONTHLY PAYMENT</u>
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(f) **Valuation of Secured Claims to Which 11 U.S.C. § 506 is Applicable.** The Debtor(s) move(s) to value the claims partially secured by collateral pursuant to 11 U.S.C. § 506 and provide payment in satisfaction of those claims as set forth below. The unsecured portion of any bifurcated claims set forth below will be paid pursuant to paragraph 4(h) below. The plan shall be served on all affected creditors in compliance with Fed. R. Bankr. P. 3012(b), and the Debtor(s) shall attach a certificate of service.

<u>CREDITOR</u>	<u>DESCRIPTION OF COLLATERAL</u>	<u>VALUATION OF SECURED CLAIM</u>	<u>INTEREST RATE</u>	<u>MONTHLY PAYMENT</u>
Security Finance of Georgia, LLC	Personal Property	\$ - 0 -	0%	\$ - 0 -
Service Loan Company of Thomson, LLC	Personal Property	\$ - 0 -	0%	\$ - 0 -
World Finance Corporation of Georgia (all accounts)	Personal Property	\$ - 0 -	0%	\$ - 0 -

(g) **Special Treatment of Unsecured Claims.** The following unsecured allowed claims are classified to be paid at 100% with interest at _____ % per annum or without interest:

(h) **General Unsecured Claims.** Allowed general unsecured claims, including the unsecured portion of any bifurcated claims provided for in paragraph 4(f) or paragraph 9 of this plan, will be paid a 10 % dividend or a pro rata share of \$ 100.00, whichever is greater.

5. Executory Contracts.

(a) **Maintenance of Current Installment Payments or Rejection of Executory Contract(s) and/or Unexpired Lease(s).**

<u>CREDITOR</u>	<u>DESCRIPTION OF PROPERTY/SERVICES AND CONTRACT</u>	<u>ASSUMED/REJECTED</u>	<u>MONTHLY PAYMENT</u>	<u>DISBURSED BY TRUSTEE OR DEBTOR(S)</u>
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(b) **Treatment of Arrearages.** Prepetition arrearage claims will be paid in full through disbursements by the Trustee.

<u>CREDITOR</u>	<u>ESTIMATED ARREARAGE</u>
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6. **Adequate Protection Payments.** The Debtor(s) will make pre-confirmation lease and adequate protection payments pursuant to 11 U.S.C. § 1326(a)(1) on allowed claims of the following creditors: Direct to the Creditor; or To the Trustee.

<u>CREDITOR</u>	<u>ADEQUATE PROTECTION OR LEASE PAYMENT AMOUNT</u>
Estates of Leverette Coleman and Roma Adams Coleman	\$120.00

7. **Domestic Support Obligations.** The Debtor(s) will pay all postpetition domestic support obligations direct to the holder of such claim identified here. See 11 U.S.C. § 101(14A). The Trustee will provide the statutory notice of 11 U.S.C. § 1302(d) to the following claimant(s):

<u>CLAIMANT</u>	<u>ADDRESS</u>

8. **Lien Avoidance.** Pursuant to 11 U.S.C. § 522(f), the Debtor(s) move(s) to avoid the lien(s) or security interest(s) of the following creditor(s), upon confirmation but subject to 11 U.S.C. § 349, with respect to the property described below. The plan shall be served on all affected creditor(s) in compliance with Fed. R. Bankr. P. 4003(d), and the Debtor(s) shall attach a certificate of service.

<u>CREDITOR</u>	<u>LIEN IDENTIFICATION (if known)</u>	<u>PROPERTY</u>
Security Finance of Georgia, LLC		Household Goods
Service Loan Company of Thomson, LLC		Household Goods
World Finance Corporation of Georgia		Household Goods

9. **Surrender of Collateral.** The following collateral is surrendered to the creditor to satisfy the secured claim to the extent shown below upon confirmation of the plan. The Debtor(s) request(s) that upon confirmation of this plan the stay under 11 U.S.C. § 362(a) be terminated as to the collateral only and that the stay under 11 U.S.C. § 1301 be terminated in all respects. Any allowed deficiency balance resulting from a creditor's disposition of the collateral will be treated as an unsecured claim in paragraph 4(h) of this plan if the creditor amends its previously-filed, timely claim within 180 days from entry of the order confirming this plan or by such additional time as the creditor may be granted upon motion filed within that 180-day period.

<u>CREDITOR</u>	<u>DESCRIPTION OF COLLATERAL</u>	<u>AMOUNT OF CLAIM SATISFIED</u>
Santander Consumer USA	Motor Vehicle	In Full Satisfaction of Debt

10. **Retention of Liens.** Holders of allowed secured claims shall retain the liens securing said claims to the full extent provided by 11 U.S.C § 1325(a)(5).
11. **Amounts of Claims and Claim Objections.** The amount, and secured or unsecured status, of claims disclosed in this plan are based upon the best estimate and belief of the Debtor(s). An allowed proof of claim will supersede those estimated claims. In accordance with the Bankruptcy Code and Federal Rules of Bankruptcy Procedure, objections to claims may be filed before or after confirmation.
12. **Payment Increases.** The Debtor(s) will increase payments in the amount necessary to fund allowed claims as this plan proposes, after notice from the Trustee and a hearing if necessary, unless a plan modification is approved.
13. **Federal Rule of Bankruptcy Procedure 3002.1.** The Trustee shall not pay any fees, expenses, or charges disclosed by a creditor pursuant to Fed. R. Bankr. P. 3002.1(c) unless the Debtor's(s') plan is modified after the filing of the notice to provide for payment of such fees, expenses, or charges.
14. **Service of Plan.** Pursuant to Fed. R. Bankr. P. 3015(d) and General Order 2017-3, the Debtor(s) shall serve the Chapter 13 plan on the Trustee and all creditors when the plan is filed with the court, and file a certificate of service accordingly. If the Debtor(s) seek(s) to limit the amount of a secured claim based on valuation of collateral (paragraph 4(f) above), seek(s) to avoid a security interest or lien (paragraph 8 above), or seek(s) to initiate a contested matter, the Debtor(s) must serve the plan on the affected creditors pursuant to Fed. R. Bankr. P. 7004. See Fed. R. Bankr. P. 3012(b), 4003(d), and 9014.
15. **Nonstandard Provisions.** Under Fed. R. Bankr. P. 3015(c), nonstandard provisions must be set forth below. A nonstandard provision is a provision not otherwise in this local plan form or deviating from it. Nonstandard provisions set out elsewhere in this plan are void.

- a) UPON GRANT OF DISCHARGE IN THIS CASE, ALL SECURED CREDITORS BEING PAID THROUGH THE PLAN SHALL PROMPTLY RELEASE ALL COLLATERAL HELD AS SECURITY ON LOANS, AND SHALL PROMPTLY RELEASE AND/OR SATISFY ALL SECURITY DEEDS, SECURITY AGREEMENTS, UCC FILINGS, JUDGMENT LIENS, TITLES, AND/OR ANY OTHER LIEN CLAIM OF ANY KIND AGAINST PROPERTY OF THE DEBTOR. THIS PARAGRAPH SHALL IN NO WAY APPLY TO MORTGAGES AND/OR OTHER SECURED DEBTS THAT ARE NOT PAID THROUGH THE CHAPTER 13 PLAN.
- b) U.S. DEPARTMENT OF EDUCATION PAID DIRECT PURSUANT TO TERMS OF LONG-TERM REPAYMENT PLAN.

By signing below, I certify the foregoing plan contains no nonstandard provisions other than those set out in paragraph 15.

Dated:

3/6/2019


Debtor 1

Debtor 2


Attorney for the Debtor(s)

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the within and foregoing AMENDED CHAPTER 13 PLAN AND MOTION upon the following parties via CM/ECF electronic mail:

Huon Le
[VIA ECF]

Office of the U. S. Trustee
[VIA ECF]

I hereby certify that I have served a copy of the within and foregoing AMENDED CHAPTER 13 PLAN AND MOTION by First Class Mail, placing same in the United States Mail with proper postage affixed thereon, to the following addresses:

SEE ATTACHED EXHIBIT "A"

I hereby certify that I have served a copy of the within and foregoing AMENDED CHAPTER 13 PLAN AND MOTION on the following corporations, addressed to an Agent or Officer, by First Class Mail, placing same in the United States Mail with proper postage affixed thereon, to the following addresses:

Security Finance of Georgia, LLC
Attn: Officer or Agent
112 Jackson Street
Thomson, GA 30824-2017
(as shown on Exhibit "A")

Security Finance of Georgia, LLC
Attn: Officer or Agent
P.O. Box 1893
Spartanburg, SC 29304-1893
(as shown on Exhibit "A")

Security Finance of Georgia, LLC, Attn:
C T Corporation System, Registered Agent
289 S. Culver Street
Lawrenceville, GA 30046-4805
(as shown on Exhibit "A")

Service Loan Company of Thomson, LLC
Attn: Officer or Agent
126 Jackson Street
Thomson, GA 30824-2017
(as shown on Exhibit "A")

Service Loan Company of Thomson, LLC
Attn: James A. Walters, Registered Agent
718 Greene Street NE
Gainesville, GA 30501-3322
(as shown on Exhibit "A")

World Finance Corporation of Georgia
Attn: Officer or Agent
406 Main Street
Thomson, GA 30824-1575
(as shown on Exhibit "A")

World Finance Corporation of Georgia
Attn: Officer or Agent
P.O. Box 6429
Greenville, SC 29606-6429
(as shown on Exhibit "A")

World Finance Corporation of Georgia
Attn: CT Corporation, Registered Agent
289 S. Culver Street
Lawrenceville, GA 30046-4805
(as shown on Exhibit "A")

I hereby certify that I have served a copy of the within and foregoing AMENDED CHAPTER 13 PLAN MOTION on the following insured depository institutions, addressed to an Officer of the institution, by Certified Mail with proper postage affixed thereon, to the following addresses:

N/A

This 6th day of March, 2019.



Charles W. Wills
Attorney for Debtor

Wills Law Firm, LLC
P.O. Box 1620
Thomson, GA 30824
706-595-8100

Label Matrix for Local Noticing

113J-1

Case 18-11784-SDB

Southern District of Georgia

Augusta

Wed Mar 6 15:02:39 EST 2019

Charles W. Wills
 Wills Law Firm, LLC
 318 Jackson Street
 P.O. Box 1620
 Thomson, GA 30824-5620

ESTATES OF LEVERETT COLEMAN AND ROMA
 ADAMS COLEMAN
 2124 MT. PLEASANT ROAD
 THOMSON GA 30824-3232

LVNV Funding, LLC
 Resurgent Capital Services
 PO Box 10587
 Greenville, SC 29603-0587

NATIONWIDE RECOVERY SERVICES
 P.O. BOX 8005
 CLEVELAND TN 37320-8005

PHYSICIANS PRACTICE GROUP
 1499 WALTON WAY
 SUITE 1400
 AUGUSTA GA 30901-2660

(p)PORTFOLIO RECOVERY ASSOCIATES LLC
 PO BOX 41067
 NORFOLK VA 23541-1067

SECURITY FINANCE OF GEORGIA, LLC
 ATTN: OFFICER OR AGENT
 P.O. BOX 1893
 SPARTANBURG SC 29304-1893

SERVICE LOAN COMPANY OF THOMSON, LLC
 ATTN: JAMES A. WALTERS, REGISTERED AGENT
 718 GREENE STREET NE
 GAINESVILLE GA 30501-3322

U.S. DEPARTMENT OF EDUCATION
 P.O. Box 4222
 Iowa City, IA 52244

AUMA ANESTHESIA

C/O CHOICE RECOVERY, INC.
 1550 Old Henderson Road Suite 100
 Columbus, OH 43220-3626

DEBT RECOVERY SOLUTIONS, LLC
 6800 JERICHO TURNPIKE
 SUITE 113E
 SYOSSET NY 11791-4401

Antoinette M. Harris

1080 Old Milledgeville Road SW
 Thomson GA 30824-8626

DEBT RECOVERY SOLUTIONS, LLC
 P.O. BOX 9001
 WESTBURY NY 11590-9001

HICKORY HILL EMERGENCY PHYSICIANS, LLC
 1A BURTON HILLS BLVD
 NASHVILLE TN 37215-6187

KNOX AND SWAN
 ATTORNEYS AT LAW
 P.O. BOX 539
 THOMSON GA 30824-0539

Hugh Le
 P.O. Box 2127
 Augusta, GA 30903-2127
 (via CMIECF)

MCDUFFIE COUNTY TAX COMMISSIONER
 P.O. BOX 955
 THOMSON GA 30824-0955

NORTH AUGUSTA SMILES
 C/O MERCHANTS CREDIT BUREAU
 955 GREENE STREET
 AUGUSTA GA 30901-2231

Office of the U. S. Trustee
 Johnson Square Business Center
 2 East Bryan Street, Ste 725
 Savannah, GA 31401-2638
 (via CMIECF)

PYOD, LLC
 Resurgent Capital Services
 PO Box 19008
 Greenville, SC 29602-9008

Pendrick Capital Partners, LLC
 PO BOX 141419
 IRVING, TX 75014-1419

SANTANDER CONSUMER USA INC.
 P.O. BOX 560284
 DALLAS TX 75356-0284

SECURITY FINANCE OF GEORGIA, LLC
 ATTN: OFFICER OR AGENT
 112 JACKSON STREET
 THOMSON GA 30824-2017

SECURITY FINANCE OF GEORGIA, LLC, ATTN:
 C T CORPORATION SYSTEM, REGISTERED AGENT
 289 S. CULVER STREET
 LAWRENCEVILLE GA 30046-4805

SERVICE LOAN COMPANY OF THOMSON, LLC
 ATTN: OFFICER OR AGENT
 126 JACKSON STREET
 THOMSON GA 30824-2017

SFC Central Bankruptcy
 PO Box 1893
 Spartanburg, SC 29304-1893

Santander Consumer USA Inc.
 1601 Elm St Ste 800
 Dallas TX 75201-7260

(p)UNIVERSITY HEALTH SERVICES INC
 ATTN COLLECTIONS DIVISION
 620 THIRTEENTH ST
 AUGUSTA GA 30901-1008

UNIVERSITY HOSPITAL MCDUFFIE
 2460 WASHINGTON ROAD
 THOMSON GA 30824-6600

EXHIBIT

"A"

UNIVERSITY HOSPITAL McDUFFIE
P.O. BOX 1228
AUGUSTA GA 30903-1228

WORLD FINANCE CORPORATION OF GEORGIA
ATTN: OFFICER OR AGENT
406 MAIN STREET
THOMSON GA 30824-1575

WORLD FINANCE CORPORATION OF GEORGIA
ATTN: OFFICER OR AGENT
P.O. BOX 6429
GREENVILLE SC 29606-6429

WORLD FINANCE CORPORATION OF GEORGIA
ATTN: CT CORPORATION, REGISTERED AGENT
289 S. CULVER STREET
LAWRENCEVILLE GA 30046-4805

~~Charles W. Wills~~
~~Wills Law Firm, LLC~~
~~P.O. Box 1620~~
~~318 Jackson Street~~
~~Thomson, GA 30824-2901~~

World Finance Corp. c/o World Acceptance Cor
Attn: Bankruptcy Processing Center
PO Box 6429
Greenville, SC 29606-6429

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Portfolio Recovery Associates, LLC
c/o Up
POB 41067
Norfolk VA 23541

UNIVERSITY HEALTH SERVICES
620 13TH STREET
AUGUSTA GA 30901

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u) Estate of Leverette Coleman and Roma Adams

(d) Antoinette M. Harris
1080 Old Milledgeville Road SW
Thomson, GA 30824-8626

End of Label Matrix	
Mailable recipients	35
Bypassed recipients	2
Total	37